

EXHIBIT A

CIVIL CASE INFORMATION SHEET

Norma Favela Barceau
 District Clerk
 El Paso County
 2017DCV1624

CAUSE NUMBER (FOR CLERK USE ONLY): COURT (FOR CLERK USE ONLY):

STYLED **JC & GD INVESTMENT CO., INC. vs. HARTFORD FIRE INSURANCE COMPANY**

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

1. Contact information for person completing case information sheet: Name: <u>THOMAS W. HAMRICK</u> Email: <u>hamricklaw@gmail.com</u> Address: <u>5665 ARAPAHO, BLD 1123</u> City/State/Zip: <u>DALLAS, TX 75248</u> Telephone: <u>214 396 7676</u> Fax: <u>214 785 2959</u> Signature: <u>[Signature]</u> State Bar No: <u>08879025</u>		Names of parties in case: Plaintiff(s)/Petitioner(s): <u>JC & GD INVESTMENT CO., INC.</u> Defendant(s)/Respondent(s): <u>HARTFORD FIRE INSURANCE CO.,</u> (Attach additional page as necessary to list all parties)		Person or entity completing sheet is: <input checked="" type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____ Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____					
2. Indicate case type, or identify the most important issue in the case (select only 1):									
Civil			Family Law						
Contract <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract: Foreclosure <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input checked="" type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:		Injury or Damage <input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability: <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage:		Real Property <input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: Related to Criminal Matters: <input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:		Marriage Relationship <input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children Other Family Law: <input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:		Post-Judgment Actions (non-Title IV-D) <input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other Title IV-D <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocals (UIFSA) <input type="checkbox"/> Support Order Parent-Child Relationship: <input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:	
Employment <input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:		Other Civil <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property <input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other:							
Tax <input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax		Probate & Mental Health Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings <input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other:							
3. Indicate procedure or remedy, if applicable (may select more than 1):									
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input checked="" type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover					
4. Indicate damages sought (do not select if it is a family law case): <input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input checked="" type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000									

THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you."

TO: **HARTFORD FIRE INSURANCE COMPANY**, who may be served with process Registered Agent, **CT CORPORATION SYSTEM** at **1999 BRIAN STREET, SUITE 900, DALLAS, TX 75201** or wherever he/she may be found.

Greetings:

You are hereby commanded to appear by filing a written answer to the Plaintiff's Original Petition for Declaratory Judgment and Request for Disclosure at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable **120th Judicial District Court**, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on this the **12th** day of May, 2017, by Attorney at Law **THOMAS W. HAMRICK**, 5665 ARAPAHO, BLD. 1123, DALLAS, TX 75248 in this case numbered **2017DCV1624** on the docket of said court, and styled:

J.C. & G.D. INVESTMENT COMPANY, INC.
VS
HARTFORD FIRE INSURANCE COMPANY

The nature of Plaintiff's demand is fully shown by a true and correct copy of the Plaintiff's Original Petition for Declaratory Judgment and Request for Disclosure accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on this the **22nd** day of May, 2017.

Attest: **NORMA FAVELA BARCELEAU**, District Clerk, El Paso County, Texas.

CLERK OF THE COURT
NORMA FAVELA BARCELEAU
District Clerk
El Paso County Courthouse
500 E. San Antonio Ave, RM 10
El Paso Texas, 79901

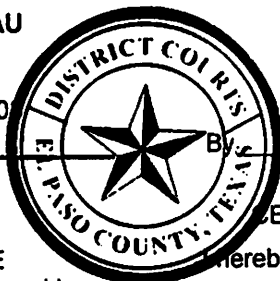
ATTACH
RETURN RECEIPTS
WITH

ADDRESSEE'S SIGNATURE
Rule 106 (a) (2) the citation shall be served by mailing to the defendant by Certified Mail Return receipt requested, a true copy of the citation. Sec. 17.027 Rules of Civil Practice and Remedies Code if not prepared by Clerk of Court.

*NAME OF PREPARER _____ TITLE _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____



CERTIFICATE OF DELIVERY BY MAIL

I hereby certify that on the _____ day of _____, 2017, at _____ I mailed to _____

Defendant(s) by registered mail or certified mail with delivery restricted to addressee only, return receipt requested, a true copy of this citation with a copy of the Plaintiff's Original Petition for Declaratory Judgment and Request for Disclosure attached thereto.

TITLE _____

FILED
NORMA FAVELA BARCELEAU
DISTRICT CLERK
2017 MAY 22 AM 9:44
EL PASO COUNTY, TEXAS
BY *[Signature]*
DEPUTY

RETURN OF SERVICE

Delivery was completed on _____, delivered to _____
_____ as evidence by Domestic Return Receipt PS Form 3811
attached hereto.

The described documents were not delivered to the named recipient. The certified mail envelope was returned
undelivered marked _____.

This forwarding address was provided: _____

El Paso County, Texas

By: _____
Deputy District Clerk

OR

Name of Authorized Person

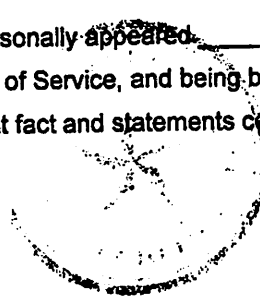
By: _____

VERIFICATION BY AUTHORIZED PERSON

State of Texas

County of El Paso

Before me, a notary public, on this day personally appeared _____, known to me to be the person
whose name is subscribed to the foregoing Return of Service, and being by me first duly sworn, declared, "I am
disinterested party qualified to make an oath of that fact and statements contained in the Return of Service and true and
correct."



Subscribed and sworn to be on this _____ day
of _____, _____.

Notary Public, State of _____

My commission expires: _____

CAUSE NUMBER: 2017 DCV 1624



SHERIFF



E-FILE

AGENT/INDIVIDUAL: RASHLEY

ATTY: _____

FILED

☐ CAPIAS

☐ CITATION PERSONAL SERVICE

☒ CITATION BY MAIL: ☐ Regular ☒ Certified

☐ CITATION NON-RESIDENT

☐ CITATION BY ☐ PUBLICATION ☐ POSTING

NTC TO SHOW CAUSE

PROTECTIVE ORDER

SUBPOENA(S)

TRO

OTHER: _____

NORMA FAYE JOHNSON
DISTRICT CLERK

2017 MAY 19 PM 2:43

EL PASO COUNTY, TEXAS

BY

[Signature]
DEPUTY



PAUPER'S OATH



RUSH

APPROVED BY: _____

CLERK ISSUING SERVICE: HELEN SCOTT

DATE COMPLETED: 05/22/17

RECEIVED BY: J. Hernandez

DATE RECEIVED: 5/22/17

Attn: The District Clerk's Office is not responsible for any errors after the request is received by the requesting individual;

Please review your request for accuracy

FILED
NORMA FAVELA BARCELEAU
DISTRICT CLERK

2017 MAY 22 AM 10:35

EL PASO COUNTY, TEXAS

BY
DEPUTY

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS**____ JUDICIAL DISTRICT**

J.C. & G.D.
INVESTMENT COMPANY, INC.
Plaintiff,

vs.

HARTFORD FIRE
INSURANCE COMPANY
Defendant.

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CAUSE NO. _____

PLAINTIFF'S ORIGINAL PETITION FOR DECLARATORY JUDGMENT
AND REQUEST FOR DISCLOSURE

COMES NOW, J.C. & G.D. INVESTMENT COMPANY, INC., Plaintiff and files this
 Plaintiff's Original Petition for Declaratory Judgment with Request for Disclosure and would
 show as follows:

A.

Discovery Control Plan

1. This is an action seeking declaratory relief. Plaintiff intends to conduct discovery under Level 3. This is a declaratory judgment action and not subject to the rules concerning expedited cases.

B.

Parties

2. Plaintiff, J.C. & G.D. INVESTMENT COMPANY, INC., is an corporation holding property in El Paso County, Texas and maintains an office at 320 Texas, 2nd Floor, El Paso, Texas 79902.

3. Defendant HARTFORD FIRE INSURANCE COMPANY (herein, "Defendant") is a corporation licensed to do business in the State of Texas, whose registered agent for service is CT Corporation System, 1999 Brian Street, Suite 900, Dallas, Texas 75201

C.

Jurisdiction and Venue

4. This Court has jurisdiction and venue as the real property in interest is located in El Paso County, El Paso, Texas. The contract to be construed covers this real property and performance under the contract is to be performed in El Paso County, El Paso, Texas.

D.

Facts

5. Plaintiff owns several pieces of property in El Paso, Texas. Among other properties, 8001 N. Mesa, 8041 N. Mesa, 1430 Vanderbilt and 11180 Rojas , all located in El Paso Texas (hereinafter referred to as the "Properties") are insured under the same policy. Plaintiff purchased the policy from Hartford Fire Insurance Company (policy number 46UUNNG5390) (hereinafter referred to as the "Contract") which covered these Properties, among others, for certain storm related damage.
6. Plaintiff notified Defendant that the Properties sustained hail damage during the policy period. Plaintiff contends notice was timely. Defendant opened two claim numbers to address Plaintiff's claims for storm damage to the Properties. Plaintiff's claim for storm damage to 1430 Vanderbilt Dr., El Paso, Texas and 11180 Rojas Dr., El Paso, Texas was commenced under claim number CP0017123511 (hereinafter referred to as 'Claim One'). A second claim was commenced under CP0017184541 for Plaintiff's claim for storm damage to 8001 N. Mesa Street, El Paso, Texas and 8041 N. Mesa Street, El Paso, Texas

(hereinafter referred to Claim 2) (the two claims are collectively referred to 'Plaintiff's Claims').

7. Defendant inspected the damage and informed Plaintiff of its finding as to the "amount of loss" for each of the four Properties. Plaintiff does not agree with the "amount of loss" for each of the four Properties as determined by Defendant.
8. The Contract contains an appraisal clause should a disagreement arise as to the "amount of loss."
9. On March 24, 2017, Defendant received a copy of Plaintiff's hail damage estimate for each of the four Properties at issue in the lawsuit.
10. On March 24, 2017, Defendant received Plaintiff's request, in writing, that the "amount of loss" for each of the four Properties be determined pursuant to the "appraisal" provision found in the Contract.
11. On April 26, 2017, Defendant, by email, informed Plaintiff that it would not proceed to appraisal. Specifically, Defendant contends that the appraisal process does not apply to coverage denials.

E.

Suit for Declaratory Relief

12. Plaintiff contends that a justiciable controversy exists as to the whether Defendant must proceed to "appraisal" pursuant to the terms of the Contract between the parties.
13. Plaintiff contends that the declaration would resolve the controversy.

14. Plaintiff contends the controversy is real and substantial and involves a genuine conflict of tangible interest.

15. Plaintiff respectfully requests the Court compel Defendant to proceed to “appraisal” as that process is outlined under the provisions in the Contract.

F.
Attorneys’ Fees

16. Defendant’s refusal to proceed to appraisal, as required pursuant to the terms of the Contract between the parties, forced Plaintiff to retain the services of legal counsel to file and prosecute this action.

17. Plaintiff contends that it is just and equitable to require Defendant to pay reasonable and necessary attorneys’ fees and costs of suit incurred by Plaintiff in bringing and prosecuting this action.

18. Accordingly, in addition to seeking an order compelling Defendant to appraisal, Plaintiff seeks recovery of reasonable and necessary attorneys’ fees and costs of suit incurred by Plaintiff in bringing and prosecuting this action. Plaintiff seeks less than \$75,000.00 in total recovery.

G.
Conditions Precedent

19. All conditions precedent to Plaintiff’s claim for relief have been performed or have occurred

H.
Request for Disclosure

20. Pursuant to Rule 194 of the Texas rules of Civil Procedure, Defendant is requested to disclose, within fifty (50) days of service of this request, the information or material described in Texas Rule of Civil Procedure 194.2 (a) – (l).

I.

Prayer

21. For these reasons, Plaintiff asks that Defendant be cited to appear and answer and the Court declare that the Defendant is compelled to proceed to appraisal pursuant to terms of the insurance contract between the parties. In addition, Plaintiff seeks the recovery of reasonable, necessary, equitable and just attorneys' fees, costs of suit and all other relief, in law and in equity, to which Plaintiff may be entitled.

Respectfully submitted,

Law Office of Thomas W. Hamrick

/s/THOMAS W. HAMRICK

THOMAS W. HAMRICK

SBN: 08879025

5665 Arapaho, Bld 1123

Telephone: (214)396-7676

Facsimile: (214) 785-2959

hamricklaw@gmail.com

Attorney for Plaintiff

JOHN P. MOBBS

SBN: 00784618

7170 Westwind Dr., Ste. 201

El Paso, Texas 79912

Telephone: (915)541-8810

Facsimile: (915)541-8830

johnmobbs@gmail.com

Co-Counsel for Plaintiff

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS

____ JUDICIAL DISTRICT

**J.C. & G.D.
INVESTMENT COMPANY, INC.**
Plaintiff,

vs.

**HARTFORD FIRE
INSURANCE COMPANY**
Defendant.

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CAUSE NO. _____

**PLAINTIFF'S FIRST REQUEST FOR PRODUCTION AND FIRST SET OF
INTERROGATORIES TO DEFENDANT**

TO: Defendant, **HARTFORD FIRE INSURANCE COMPANY:**

COMES NOW, J.C. & G.D. INVESTMENT COMPANY, INC., Plaintiff in the above-styled and numbered cause, by and through its attorney of record, Mr. Thomas Hamrick, and attaches the foregoing document to Plaintiff's Original Petition and requests that Defendant file a response to this discovery within 50 days of service.

Respectfully submitted,

The Law Office of Thomas W. Hamrick
5665 Arapaho, Bld 1123
Dallas, Texas 75248
(214) 369-7676 Phone
(214) 785-2959 Fax

/S/ THOMAS W. HAMRICK

THOMAS W. HAMRICK
State Bar No.: 08879025
hamricklaw@gmail.com

Request for Production No. 1:

Please produce a complete copy of the insurance policy at issue in this lawsuit.

Response:

Interrogatory Number 1:

Is it Defendant's contention that Plaintiff did not comply with all conditions precedent under the policy (policy number 46UUNNG5390)(hereinafter the "Policy")? Please describe, in general, the conditions precedent Defendant contends have not been met by the Plaintiff.

Source: TRCP 197.1

Answer:

Interrogatory No. 2:

If you have denied any of Plaintiff's requests for admissions, please state the factual basis for the denial.

Answer:

Interrogatory No. 3:

Please explain, in general terms, why Defendant refused to proceed to appraisal on Claim Numbers CP0017184541 and CP001712351.

Source: TRCP 197.1

Answer:

Interrogatory No. 4:

Please identify Defendant's trial witnesses (fact and expert).

Source: TRCP 192.3(d)

Answer:

Interrogatory No. 5:

Please identify which of Defendant's employees made the decision not to proceed to appraisal on Claim Numbers CP0017184541 and CP001712351.

Answer:

Request for Production No. 2:

Please produce a copy of any correspondence or entries in the claims file for Claim Numbers CP0017184541 and CP001712351 that relate to appraisal.

Response:

Request for Production No. 3:

Please produce a copy of all correspondence between Plaintiff and Defendant concerning Claim Numbers CP0017184541 and CP001712351.

Response:

Request for Production No. 4:

Please produce a complete copy of all correspondence (including emails, faxes and text messages) between Larry Shashy and Defendant relating to appraisal of Claim Numbers CP0017184541 and CP001712351.

Response:

Request for Production No. 5:

Please produce Defendant's claim file for Claim Numbers CP0017184541 and CP001712351.

Response:

Request for Production No. 6:

Please produce all documents, electronic information, and tangible items that Defendant has in its possession, custody, or control and may use to support its claims and defenses.

Response:

IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS

____ JUDICIAL DISTRICT

**J.C. & G.D.
INVESTMENT COMPANY, INC.
Plaintiff,**

vs.

**HARTFORD FIRE
INSURANCE COMPANY
Defendant.**

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CAUSE NO. _____

PLAINTIFF'S FIRST REQUEST FOR ADMISSIONS TO DEFENDANT

TO: Defendant, HARTFORD FIRE INSURANCE COMPANY:

COMES NOW, J.C. & G.D. INVESTMENT COMPANY, INC., Plaintiff in the above-styled and numbered cause, by and through its attorney of record, Mr. Thomas Hamrick, and attaches the foregoing document to Plaintiff's Original Petition and requests that Defendant file a response to this discovery within 50 days of service.

Respectfully submitted,

The Law Office of Thomas W. Hamrick
5665 Arapaho, Bld 1123
Dallas, Texas 75248
(214) 369-7676 Phone
(214) 785-2959 Fax

/S/ THOMAS W. HAMRICK

THOMAS W. HAMRICK
State Bar No.: 08879025
hamricklaw@gmail.com

Please admit or deny the following:

1. **J.C. & G.D. INVESTMENT COMPANY, INC.** (hereinafter referred to as "Plaintiff") purchased an insurance policy (policy number 46UUNNG5390) (hereinafter referred to as the "Policy") from **HARTFORD FIRE INSURANCE COMPANY** (hereinafter referred to as "Defendant").

RESPONSE:

2. The Policy at issue in this lawsuit is policy number 46UUNNG5390.

RESPONSE:

3. The Policy insures real property located at 1430 Vanderbilt Dr., El Paso, Texas.

RESPONSE:

4. The Policy insures real property located at 11180 Rojas Dr., El Paso, Texas.

RESPONSE:

5. The Policy insures real property located at 8001 N. Mesa Street, El Paso, Texas.

RESPONSE:

6. The Policy insures real property located at 8041 N. Mesa Street, El Paso, Texas.

RESPONSE:

7. Plaintiff timely established a claim with Defendant for hail related damage to both the 1430 Vanderbilt Dr., El Paso, Texas and 11180 Rojas Dr., El Paso, Texas properties (hereinafter referred to as collectively as the "Claim One").

RESPONSE:

8. Plaintiff provided Defendant with an estimate of damages for hail related damage to both the 1430 Vanderbilt Dr., El Paso, Texas and 11180 Rojas Dr., El Paso, Texas properties.

RESPONSE:

9. Plaintiff timely established a claim with Defendant for hail related damage to both the 8001 N. Mesa Street, El Paso, Texas and 8041 N. Mesa Street, El Paso, Texas properties (hereinafter referred to as collectively as the "Claim Two").

RESPONSE:

10. Plaintiff provided Defendant with an estimate of damages for hail related damage to both the 8001 N. Mesa Street, El Paso, Texas and 8041 N. Mesa Street, El Paso, Texas properties.

RESPONSE:

11. Claim One was commenced under Defendant's claim number CP0017123511.

RESPONSE:

12. Claim Two was commenced under Defendant's claim number CP0017184541.

RESPONSE:

13. On or about March 24, 2017, Defendant received Plaintiff's request, in writing, that the "amount of loss" for Claim One be determined pursuant to the "appraisal" provision found in the Contract.

RESPONSE:

14. On or about March 24, 2017, Defendant received Plaintiff's request, in writing, that the "amount of loss" for Claim Two be determined pursuant to the "appraisal" provision found in the Contract.

RESPONSE:

15. The Policy contains an appraisal clause.

RESPONSE:

16. Plaintiff appointed Larry Shashy as its appraiser for both Claim One and Two.

REPOSE:

17. Defendant refused to proceed to appraisal on Claim One.

RESPONSE:

18. Defendant refused to proceed to appraisal on Claim Two.

RESPONSE:

19. On April 26, 2017, Defendant in writing objected to Plaintiff's request to proceed to appraisal.

RESPONSE:

20. The amount of the loss at issue in claim number CP0017123511 has not been appraised.

RESPONSE:

21. The amount of the loss at issue in claim number CP0017184541 has not been appraised.

RESPONSE:

22. Plaintiff has requested the amount of the loss at issue in claim number CP0017123511 be subjected to the appraisal process.

RESPONSE:

23. Plaintiff has requested the amount of the loss at issue in claim number CP0017184541 be subjected to the appraisal process.

RESPONSE:

24. Prior to Plaintiff filing this lawsuit, Defendant refused to proceed with the appraisal of claim number CP0017123511.

RESPONSE:

25. Prior to Plaintiff filing this lawsuit, Defendant refused to proceed with the appraisal of claim number CP0017184541.

RESPONSE:

26. Plaintiff paid all necessary premiums such that Plaintiff's Policy was in force on the purported date of loss for claim number CP0017123511.

RESPONSE:

27. Plaintiff paid all necessary premiums such that Plaintiff's Policy was in force on the purported date of loss for claim number CP0017184541.

RESPONSE:

RETURN OF SERVICE

Delivery was completed on MAY 31, 2017, delivered to HARTFORD FIRE INSURANCE
COMPANY'S AGENT FOR SERVICE as evidence by Domestic Return Receipt PS Form 3811
 attached hereto.

The described documents were not delivered to the named recipient. The certified mail envelope was returned
 undelivered marked _____.

This forwarding address was provided: _____

El Paso County, Texas

By: _____
 Deputy District Clerk

OR

JUSTICE CAROLAN RASBERRY SEP 22 2017
 Name of Authorized Person

By: _____

BY
 DEPUTY

EL PASO COUNTY, TEXAS

2017 JUN -6 PM 2:18

FILED
 NORMA GARCIA BARCELEAU
 CLERK

VERIFICATION BY AUTHORIZED PERSON

State of Texas

County of El Paso

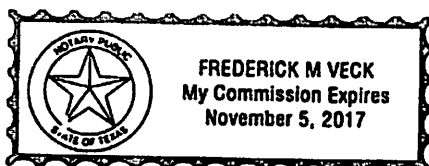
Before me, a notary public, on this day personally appeared JUSTICE CAROLAN RASBERRY known to me to be the person
 whose name is subscribed to the foregoing Return of Service, and being by me first duly sworn, declared, "I am
 disinterested party qualified to make an oath of that fact and statements contained in the Return of Service and true and
 correct."



Subscribed and sworn to be on this 6 day
 of JUNE, 2017

Notary Public, State of TEXAS

My commission expires: 11-5-2017



THE STATE OF TEXAS

NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you, or your attorney, do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you."

TO: **HARTFORD FIRE INSURANCE COMPANY**, who may be served with process Registered Agent, CT CORPORATION SYSTEM at 1999 BRIAN STREET, SUITE 900, DALLAS, TX 75201 or wherever he/she may be found.

Greetings:

You are hereby commanded to appear by filing a written answer to the Plaintiff's Original Petition for Declaratory Judgment and Request for Disclosure at or before ten o'clock A.M. of the Monday next after the expiration of twenty days after the date of service of this citation before the Honorable 120th Judicial District Court, El Paso County, Texas, at the Court House of said County in El Paso, Texas.

Said Plaintiff's Petition was filed in said court on this the 12th day of May, 2017, by Attorney at Law THOMAS W. HAMRICK, 5665 ARAPAHO, BLD. 1123, DALLAS, TX 75248 in this case numbered 2017DCV1624 on the docket of said court, and styled:

**J.C. & G.D. INVESTMENT COMPANY, INC.
VS
HARTFORD FIRE INSURANCE COMPANY**

The nature of Plaintiff's demand is fully shown by a true and correct copy of the Plaintiff's Original Petition for Declaratory Judgment and Request for Disclosure accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at El Paso, Texas, on this the 22nd day of May, 2017.

Attest: NORMA FAVELA BARCELEAU, District Clerk, El Paso County, Texas.

CLERK OF THE COURT
NORMA FAVELA BARCELEAU
District Clerk
El Paso County Courthouse
500 E. San Antonio Ave, RM 1133
El Paso Texas, 79901



Arlene Saenz, Deputy
Arlene Saenz

ATTACH
RETURN RECEIPTS
WITH

ADDRESSEE'S SIGNATURE
Rule 106 (a) (2) the citation shall be served by mailing to the defendant by Certified Mail Return receipt requested, a true copy of the citation. Sec. 17.027 Rules of Civil Practice and Remedies Code if not prepared by Clerk of Court.

NAME OF PREPARER	TITLE
ADDRESS	
CITY	STATE ZIP

CERTIFICATE OF DELIVERY BY MAIL

I hereby certify that on the 23 day of MAY, 2017, at 5:00 P I mailed to HARTFORD FIRE INSURANCE COMPANY'S AGENT FOR SERVICE

Defendant(s) by registered mail or certified mail with delivery restricted to addressee only, return receipt requested, a true copy of this citation with a copy of the Plaintiff's Original Petition for Declaratory Judgment and Request for Disclosure attached thereto.

JUSTICE CAROL RASCHLEY 2-28-2018
PROCESS SERVER
TITLE

U.S. Postal Service™

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

DALLAS, TX 75201 **AL USE**

Certified Mail Fee		\$3.35
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/> Return Receipt (hardcopy)	\$	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	\$0.00
<input type="checkbox"/> Adult Signature Required	\$	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	\$0.00
Postage		\$6.65
Total Postage and Fees		\$12.75



Sent To *OT CORP FOR HARTFORD FIRE*
 Street and Apt. No., or PO Box No. *1999 BLYNN ST. STE 200*
 City, State, ZIP+4® *DALLAS TX 75201*

0942 9729 1000 0490 5702

Certified Mail service provides the following benefits:

- A receipt (this portion of the Certified Mail label).
- A unique identifier for your mailpiece.
- Electronic verification of delivery or attempted delivery.
- A record of delivery (including the recipient's signature) that is retained by the Postal Service™ for a specified period.

Important Reminders:

- You may purchase Certified Mail service with First-Class Mail®, First-Class Package Service®, or Priority Mail® service.
- Certified Mail service is *not* available for international mail.
- Insurance coverage is *not* available for purchase with Certified Mail service. However, the purchase of Certified Mail service does not change the insurance coverage automatically included with certain Priority Mail items.
- For an additional fee, and with a proper endorsement on the mailpiece, you may request the following services:
 - Return receipt service, which provides a record of delivery (including the recipient's signature). You can request a hardcopy return receipt or an electronic version. For a hardcopy return receipt, complete PS Form 3811, *Domestic Return Receipt*; attach PS Form 3811 to your mailpiece;
 - Restricted delivery service, which provides delivery to the addressee specified by name, or to the addressee's authorized agent.
 - Adult signature service, which requires the signee to be at least 21 years of age (not available at retail).
 - Adult signature restricted delivery service, which requires the signee to be at least 21 years of age and provides delivery to the addressee specified by name, or to the addressee's authorized agent (not available at retail).
- To ensure that your Certified Mail receipt is accepted as legal proof of mailing, it should bear a USPS postmark. If you would like a postmark on this Certified Mail receipt, please present your Certified Mail item at a Post Office™ for postmarking. If you don't need a postmark on this Certified Mail receipt, detach the barcoded portion of this label, affix it to the mailpiece, apply appropriate postage, and deposit the mailpiece.

for an electronic return receipt, see a retail associate for assistance. To receive a duplicate return receipt for no additional fee, present this USPS®-postmarked Certified Mail receipt to the retail associate.

IMPORTANT: Save this receipt for your records.

PS Form 3811, April 2015 PSN 7530-02-000-9053

7015 0640 0001 6216 7460

2. Article Number (Transfer from service label)

9590 9403 0541 5173 8845 00



1. Article Addressed to: CT Corp system
Agent for
HARTFORD FIRE INSURANCE CO.
1999 Bayview St. Ste. 900
Dallas, TX 75201

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

SENDER: COMPLETE THIS SECTION

Domestic Return Receipt

3. Service Type
- ☐ Adult Signature
 - ☐ Adult Signature Restricted Delivery
 - ☐ Certified Mail®
 - ☐ Certified Mail Restricted Delivery
 - ☐ Collect on Delivery
 - ☐ Collect on Delivery Restricted Delivery
 - ☐ Insured Mail
 - ☐ Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- ☐ Registered Mail™
 - ☐ Registered Mail Restricted Delivery
 - ☐ Return Receipt for Merchandise
 - ☐ Signature Confirmation™
 - ☐ Signature Confirmation Restricted Delivery

- D. Is delivery address different from item 1? ☐ Yes ☐ No
- If YES, enter delivery address below:

B. Received by (Printed Name)
Chris Wells

A. Signature

Agent ☐ Addressee ☐

COMPLETE THIS SECTION ON DELIVERY

MAY 31 2017
at or before delivery

UNITED STATES POSTAL SERVICE

2017 JUN 28 11:50 AM

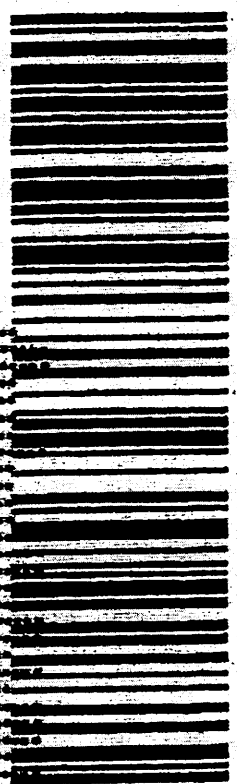
2017 JUN 28 11:50 AM

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4® in this box •

Rasberry & Associates
Certified Court Reporters and Process Servers
420 East San Antonio, Second Floor
El Paso, Texas 79901

USPS TRACKING#



9590 9403 0541 5173 8845 00